



10TH FLOOR • TWO LEADERSHIP SQUARE  
211 NORTH ROBINSON • OKLAHOMA CITY, OK 73102-2103  
(405) 235-9621 • FAX (405) 235-0439  
[www.mcafeetaft.com](http://www.mcafeetaft.com)

RECEIVED  
CENTRAL FAX CENTER

NOV -3 2005

MICHAEL J. LABRIE  
ATTORNEY AT LAW  
WRITER DIRECT  
(405) 552-2305  
Fax (405) 228-7305  
[michael.labrie@mcafeetaft.com](mailto:michael.labrie@mcafeetaft.com)

**FAX MESSAGE**

|              |                           |                  |                |
|--------------|---------------------------|------------------|----------------|
| <b>TO:</b>   | Examiner Chester T. Barry | <b>FAX NO.:</b>  | (571) 273-8300 |
|              | USPTO                     |                  |                |
| <b>FROM:</b> | Michael J. LaBrie         | <b>FILE NO.:</b> | 8298.1         |
| <b>DATE:</b> | November 3, 2005          |                  |                |

**MESSAGE:**

Re: Application No. 10/619,671 WASTEWATER CONTAINMENT AND TREATMENT METHODS AND APPARATUS by Gary W. Roach et al.

Transmitted herewith are the attached documents:

1. Transmittal Form PTO/SB/21; and
2. Response to Notice of Non-Compliant (5 pages).

THIS MESSAGE AND THE DOCUMENTS ATTACHED MAY CONTAIN PRIVILEGED ATTORNEY/CLIENT COMMUNICATIONS OR ATTORNEY WORK PRODUCT. ONLY THE ABOVE ADDRESSEE IS THE AUTHORIZED RECIPIENT OF THIS MESSAGE OR THE ATTACHMENTS. PLEASE SEE THAT NO OTHER PERSON OBTAINS ACCESS TO THIS CONFIDENTIAL MATERIAL. ANY OTHER DISTRIBUTION OF THIS MATERIAL IS UNAUTHORIZED.

IF YOU HAVE RECEIVED THIS FAX IN ERROR, PLEASE DESTROY ALL COPIES AND NOTIFY US AS SOON AS POSSIBLE AT (405) 235-9621, EXT. 3348.

Number of pages including cover sheet: 1 Operator: LM

If a problem should occur during transmission,  
please call (405) 235-9621, Ext. 3348.

VIA FACSIMILE (571) 273-8300

NOV - 3 2005

PTO/SQ/21 (03-04)

Approved for use through 07/31/2006 GMD 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/619,671

Filing Date

07/14/2003

First Named Inventor

Gary W. Roach

Art Unit

1724

Examiner Name

Chester T. Barry

Attorney Docket Number

8298.1

## ENCLOSURES (Check off that apply)

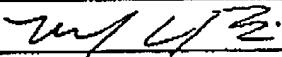
|  |   |   |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form  | <input type="checkbox"/> Drawing(s)                                       | <input type="checkbox"/> After Allowance Communication to TC                            |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Licensing-related Papers                         | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input checked="" type="checkbox"/> Amendment/Reply  | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> Alter Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavit(s)/Declaration(s)   | <input type="checkbox"/> Power of Attorney, Revocation                    | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request   | <input type="checkbox"/> Change of Correspondence Address                 | <input type="checkbox"/> Other Enclosure(s) (please identify below):                    |
| <input type="checkbox"/> Express Abandonment Request   | <input type="checkbox"/> Terminal Disclaimer                              |   |
| <input type="checkbox"/> Information Disclosure Statement  | <input type="checkbox"/> Request for Refund                               |   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)  | <input type="checkbox"/> CD, Number of CD(s) _____                        |   |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application  | <input type="checkbox"/> Landscape Table on CD                            |   |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53  |   |   |
| <b>Remarks</b>   |   |   |
| The attached Response to Notice of Non-Compliant Amendment (5 pages) is submitted via Facsimile. It is believed that no fee is required; however, should any fees be required, the Director is hereby authorized to charge Deposit Account No. 500449. |   |   |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|              |   |         |        |
|--------------|---|---------|--------|
| Firm Name    | McAfee & Taft   |         |        |
| Signature    |  |         |        |
| Printed name | Michael J. LaBrie   |         |        |
| Date         | November 3, 2005  | Reg. No | 39,507 |

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: VIA FACSIMILE (571) 273-8300

|                       |   |      |                  |
|-----------------------|---|------|------------------|
| Signature             |  |      |                  |
| Typed or printed name | Michael J. LaBrie   | Date | November 3, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED  
CENTRAL FAX CENTER

Atty Dkt No: 8298.1

NOV - 3 2005 VIA FAXSIMILE (571) 273-8300

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                |                                 |                              |
|----------------|---------------------------------|------------------------------|
| Applicants:    | Gary W. Roach and E. Glen Price | ) Confirmation No.: 7078     |
|                |                                 | )                            |
| Applicant No.: | 10/619,671                      | ) Art Unit: 1724             |
|                |                                 | )                            |
| Filing Date:   | July 14, 2003                   | ) Examiner: Chester T. Barry |
|                |                                 | )                            |
| For:           | WASTEWATER CONTAINMENT          | )                            |
|                | AND TREATMENT METHODS           | )                            |
|                | AND APPARATUS                   | )                            |

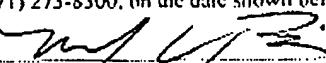
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

This is in response to the Notice of Non-Compliant Amendment dated October 14, 2005. Submitted herewith is the entire "Claim Amendments" section of applicants' previous amendment, including the complete listing of all of the claims in the application (including the full text of withdrawn claims 6-12). Reconsideration of the application in view of this amendment is requested.

---

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, (571) 273-8300, on the date shown below.



Michael J. LaRye  
Date: November 3, 2005